

## REMARKS

Reconsideration is requested for claims 1-31, 33, and 35-44.

Claims 16-18, 20-22, and 43 were indicated to be allowable if rewritten in independent form.

Claims 1, 2, 23-29, and 33 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,943,837 to *Esser et al.* Claims 3-10, 12, 15, 16, 35-40, 42, and 44 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* Claims 11 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 4,942,686 to *Kemeny*. Claims 13 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 5,651,228 to *Zeigler et al.* Claims 30 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 4,437,275 to *Zeigler*.

It is understood that the Examiner suggests amending the independent claims 1 and 33 to further define the structure of the "spacer" recited in those claims to place the claims in condition for allowance. Accordingly, claim 1 has been amended to recite that "the first spacer compris[es] a rigid element having a fixed length between a first end proximate the first end of the first strut and a second end proximate the first end of the second strut". Claim 33 has been amended to recite that "slack in the tension member is taken up until the first ends of the first and second struts are separated by a predetermined distance defined by a rigid spacer". It is respectfully submitted that the foregoing amendments place all of the pending claims in condition for allowance. Allowance is cordially urged.

To the extent that the applicant does not respond to a particular comment in the Official Action, the applicant does not intend by this to indicate acquiescence in or agreement with the

comment. To the extent that any extensions of time are necessary in connection with this application it is requested that there be a standing petition for extension of time and that any additional fees that are required, or refunds due, in connection with this or any other paper filed in connection with this application be charged to Deposit Account 503015.

If the Examiner is of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned.

1217 King Street  
Alexandria, VA 22314  
(703) 299-0953

Respectfully submitted,

WRB-IP LLP

Date: December 22, 2008

By: /Harold R. Brown III/  
Harold R. Brown III  
Registration No. 36,341